

Attorney Docket No. 109905-139819

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of:

Sincaglia

Application No.: 09/777,500

Filed: February 5, 2001

For: SYSTEM FOR DISTRIBUTED
MEDIA NETWORK AND META
DATA SERVER

Examiner: Ehichioya, Fred I.

Art Unit: 2172

Confirmation No.: 8385

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Typed or Printed: Yvette L. Chiscaden

Signature: 

Date: 3/28/06

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REQUEST FOR REFUND

Dear Sir:

This request for refund is being made with respect to fees that were charged to Deposit Account No. 500393 in the amount of \$500.00 (fee code 1402) on 03/16/2006 for the above-referenced patent application.

On 12/27/2005, an Appeal Brief was filed with no changes to the claims, accompanied by Check No. 13562 to cover the Appeal Brief Filing Fee in the amount of \$500, which check was cashed on January 31, 2006. A copy of the negotiated check is attached for ease of reference.

On 2/24/2006, a Notice of Noncompliant Appeal Brief was mailed from the United States Patent & Trademark Office, which Notice was received by Applicant on 2/28/2006.

On 3/14/2006, a Resubmission of Appellant's Appeal Brief was filed by mail. In the last paragraph on page 8 of the Resubmission, Applicant states

This brief is submitted in triplicate. A check for \$500 to cover the appeal fee for one other than a small entity as specified by 37 C.F.R. §1.17(c) was enclosed with the original submission. We do not believe any fees, in

particular extension of time fees, are needed. However, should that be necessary, please charge our Deposit Account No. 600393. In addition, please credit any overages to the same account.

In light of the fact that the Appeal Brief Filing Fee requirement was satisfied by Check No. 13562, Applicant believes the additional charge to Deposit Account No. 500393 to be an error.

It is respectfully requested that the \$500.00 erroneously charged to Applicant's Deposit Account be credited back to Deposit Account No. 600393.

Respectfully submitted,

Schwabe, Williamson & Wyatt, P.C.

Dated: March 28, 2006

Pacwest Center, Suite 1900
1211 SW Fifth Avenue
Portland, Oregon 97204
Telephone: 503-222-9981

Al AuYeung by Yvette Chusca
Reg. No. 35,432

- 2 -

Attorney Docket No. 109905-139819
Application No. 09/777,500

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**SCHWABE, WILLIAMSON & WYATT**
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application for:

Sincaglia

Application No.: 09/777,500

Assignee: RealNetworks, Inc

Filed: February 5, 2001

For: **SYSTEM FOR DISTRIBUTED
MEDIA NETWORK AND META
DATA SERVER**

Examiner: Ehichioya, Fred I.

Art Group: 2172

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RESUBMISSION OF APPELLANT'S APPEAL BRIEF

Seattle, Washington

TO THE HONORABLE COMMISSIONER FOR PATENTS:

This is a resubmission of a brief in support of a Notice of Appeal to the Board of Patent Appeals and Interferences filed in the above-identified application on October 25, 2005, appealing the final decision of the Examiner dated July 29, 2005, rejecting claims 9-15, 18, 20-21, 23, 33-38, and 45-50. The resubmission is in response to the Notification of Non-Compliant Appeal Brief mailed February 24, 2006. Appellant respectfully requests consideration of this appeal by the Board of Patent Appeals and Interferences for allowance of the present patent application.

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- 1 -

IPG No. RN112

Adjustment Date: 04/18/2006 SDIRETA1
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Attorney's Docket No.: 109905-139819
Application No.: 09/777,500

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